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Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

Erlinda Reyes,)	Case No. 1:21-cv-00302-EPG
)	
Plaintiff,)	STIPULATION AND ORDER FOR
)	EXTENSION OF TIME
vs.)	
)	
Kilolo Kijakazi, Acting)	
Commissioner of Social Security,)	
)	
Defendant.)	
)	
)	
)	

IT IS HEREBY STIPULATED, by and between the parties through their respective counsel of record, with the Court's approval, that Plaintiff shall have a 60-day extension of time, from June 24, 2022 to August 23, 2022, for Plaintiff to serve on defendant with Plaintiff's Opening Brief. All other dates in the Court's Scheduling Order shall be extended accordingly.

This is Plaintiff's first request for an extension of time. Good cause exists for this extension. As Counsel has reported previously in many other cases in this district, Counsel for the Plaintiff underwent major orthopedic surgery on March 17, 2022. Although it has been over two months, Counsel for Plaintiff continues to experience significant pain and the secondary

1 effects of medications. Counsel continues to work short periods throughout the day with
2 significant breaks throughout. Counsel continues to attend physical therapy four days a week.

3 Secondly, as this Court is well aware, Social Security case filings in federal court
4 increased due to a combination of factors including an increase in appeals council decisions and
5 an increase in hearings at the administrative levels. Then, as a result of the pandemic, shelter-in-
6 place mandates, and Court ordered Stays, there were significant delays in producing transcripts.
7 In recent months, Counsel for the Plaintiff has received a greater-than-usual number of Answers
8 and Certified Administrative Records from defendant including over 78 cases from February
9 through April 2022.

10 Currently, for the weeks of June 20, 2022 and June 27, 2022, Counsel for Plaintiff has
11 nine merit briefs, and several letter briefs and reply briefs. With this number expected to grow.

12 Defendant does not oppose the requested extension. Counsel apologizes to the Defendant
13 and Court for any inconvenience this may cause.

14
15 Respectfully submitted,

16 Dated: May 25, 2022 PENA & BROMBERG, ATTORNEYS AT LAW

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18 By: /s/ Jonathan Omar Pena
19 JONATHAN OMAR PENA
Attorneys for Plaintiff

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21 Dated: May 26, 2022 PHILLIP A. TALBERT
22 United States Attorney
23 PETER K. THOMPSON
24 Acting Regional Chief Counsel, Region IX
Social Security Administration

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26 By: */s/ Margaret Lehrkind, Esq.
27 Margaret Lehrkind, Esq.
28 Special Assistant United States Attorney
Attorneys for Defendant
(*As authorized by email on May 26, 2022)

ORDER

Pursuant to the parties' stipulation (ECF No. 9), IT IS HEREBY ORDERED that Plaintiff shall file an Opening Brief by August 23, 2022. All remaining deadlines in the Scheduling Order (ECF No. 3) are extended accordingly.

IT IS SO ORDERED.

Dated: **May 31, 2022**

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE